

REMARKS

This amendment is filed in response to the Office Action dated June 11, 2007. In view of these amendments and remarks, this application should be allowed and the case passed to issue. No new matter or considerations are introduced by this amendment. The amendment to claim 6 is supported by claim 1, now cancelled.

Claims 6 and 7 are pending in this application. Claims 1 and 5-8 are rejected. Claims 6 and 7 have been amended in this response. Claims 1, 5, and 8 have been canceled in this response. Claims 2-4 were previously canceled.

Claim Rejections Under 35 U. S. C. § 102

Claims 1, 5, and 8, were rejected under 35 U.S.C. § 102(a) as being anticipated by Kasajima et al. (*Electrochemical Intercalation/Deintercalation of Lithium at an Isotropic Graphite in a LiBr-KBr-CsBr Eutectic Melt*). This rejection is traversed, and reconsideration and withdrawal thereof respectively requested.

Claims 1, 5, and 8 have been canceled, therefore this rejection is moot.

Claim Rejections Under 35 U. S. C. § 103

Claims 6 and 7 were rejected under 35 U.S.C. § 103(a) as being unpatentable over Kasajima et al. in view of Uriu et al. (U.S. Pat. No. 5,647,966). This rejection is traversed, and reconsideration and withdrawal thereof respectfully requested. The following is a comparison between the invention as claimed and the present invention.

An aspect of the invention, per claim 6, is a method of manufacturing a metal product comprising forming a resist pattern on a conductive substrate and exposing a portion of the conductive substrate; immersing the conductive substrate having the resist pattern formed into a molten salt bath for electroforming, the molten salt bath for electroforming containing tungsten

to be precipitated and/or a compound of tungsten to be precipitated; and **precipitating the tungsten at a portion where the conductive substrate is exposed.** The molten salt bath contains lithium bromide, cesium bromide, and a halide of an alkali metal and/or a halide of an alkaline-earth metal. A sum of a mole fraction of the lithium bromide and a mole fraction of the cesium bromide is set to be within a range from at least 0.5 to less than 0.95 with respect to entire molten salt bath for electroforming, and a mole ratio of the lithium bromide to the cesium bromide (lithium bromide/cesium bromide) is set to be within a range from at least 1.8 to at most 2.5, wherein the halide of the alkali metal is potassium bromide. The metal product is composed of tungsten.

Kasajima et al. and Uriu et al., whether taken in combination, or alone, do not suggest precipitating the tungsten at a portion where the conductive substrate is exposed, as required by claim 6.

Obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either explicitly or implicitly in the references themselves or in the knowledge readily available to one of ordinary skill in the art. *In re Kotzab*, 217 F.3d 1365, 1370 55 USPQ2d 1313, 1317 (Fed. Cir. 2000); *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988); *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). There is no suggestion in Kasajima et al. or Uriu et al. to modify the process of Kasajima et al. so that tungsten is precipitated at a portion where the conductive substrate is exposed, as required by claim 6.

The only teaching of a method of manufacturing a metal product, wherein tungsten is precipitated at a portion where the conductive substrate is exposed, is found in Applicants'

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disclosure. However, the teaching or suggestion to make a claimed combination and the reasonable expectation of success must both be found in the prior art, and not based on applicant's disclosure. *In re Vaeck*, 947 F.2d 488, 20 USPQ2d 1438 (Fed. Cir. 1991).

Dependent claim 7 is allowable for at least the same reasons as independent claim 6.

In view of the above amendments and remarks, Applicants submit that this case should be allowed and passed to issue. If there are any questions regarding this Amendment or the application in general, a telephone call to the undersigned would be appreciated to expedite the prosecution of the application.

To the extent necessary, a petition for an extension of time under 37 C.F.R. § 1.136 is hereby made. Please charge any shortage in fees due in connection with the filing of this paper, including extension of time fees, to Deposit Account 500417 and please credit any excess fees to such deposit account.

Respectfully submitted,

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